

DISTRICT OF OREGON,
STATE OF OREGON

ss: AFFIDAVIT OF CYNTHIA M. CHANG

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, Cynthia M. Chang, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a Special Agent and Certified Fire Investigator with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have so been employed since June 2001. I am presently assigned to the ATF Portland Field Office in the state of Oregon. I am a law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516. I was trained as an ATF Special Agent at the Federal Law Enforcement Training Center in Glynco, Georgia. My training included subjects such as fire and arson investigations, explosives investigations, firearms trafficking, narcotics trafficking, and investigative techniques and evidence derived therefrom, and the execution of search and arrest warrants. Additionally, as an ATF Certified Fire Investigator, I completed a rigorous two-year program involving fire origin and cause determination, fire dynamics, thermodynamics, fluid dynamics, chemistry, and material sciences. As such I have authored over 100 fire "Origin & Cause" determination reports, and have investigated over 200 fire scenes.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for EDWARD THOMAS SCHINZING (SCHINZING) for arson in violation of 18 U.S.C. § 844(f)(1). As set forth below, there is probable cause to believe, and I do believe, that SCHINZING committed arson by maliciously damaging and destroying, and attempting to

damage and destroy, a building and personal property of an institution and organization receiving Federal financial assistance in violation of 18 U.S.C. § 844(f)(1).

3. The information stated herein is based on my own personal involvement in this investigation, as well as my discussions with other law enforcement officers involved in this investigation, and information I have read that is contained in written reports pertaining to this investigation. This affidavit does not include all facts known to me regarding this investigation, but contains only those facts which I believe are sufficient to establish the requisite probable cause.

Applicable Law

4. Title 18 United States Code Section 844(f)(1) provides that it is unlawful to maliciously damage or destroy, or attempt to damage or destroy, by means of fire, any building, vehicle, or other personal or real property in whole or in part or possessed by any institution or organization receiving Federal financial assistance.

Statement of Probable Cause

5. As detailed in this affidavit, on May 29, 2020 a group of people gathered for a protest event near Peninsula Park in Portland, Oregon and walked to the Multnomah County Justice Center (hereinafter, "Justice Center"). Once the group arrived, a smaller contingent broke windows and about 30 people entered the locked and secured Corrections Records Office where they had no authorization to be present. Based on information to follow in this affidavit, I believe that SCHINZING was among those who entered the Justice Center and that SCHINZING was involved in setting and spreading fire within the Corrections Records Office.

6. The Justice Center is owned in part by both Multnomah County, a political

subdivision of the State of Oregon, and the City of Portland, an Oregon municipal corporation. The Justice Center houses the Multnomah County Detention Center jail (hereinafter, “MCDC”) and the headquarters of the Portland Police Bureau (hereinafter, “PPB”). According to a Multnomah County Sheriff’s Office Daily Summary Report, on May 29, 2020, MCDC housed approximately 289 inmates.

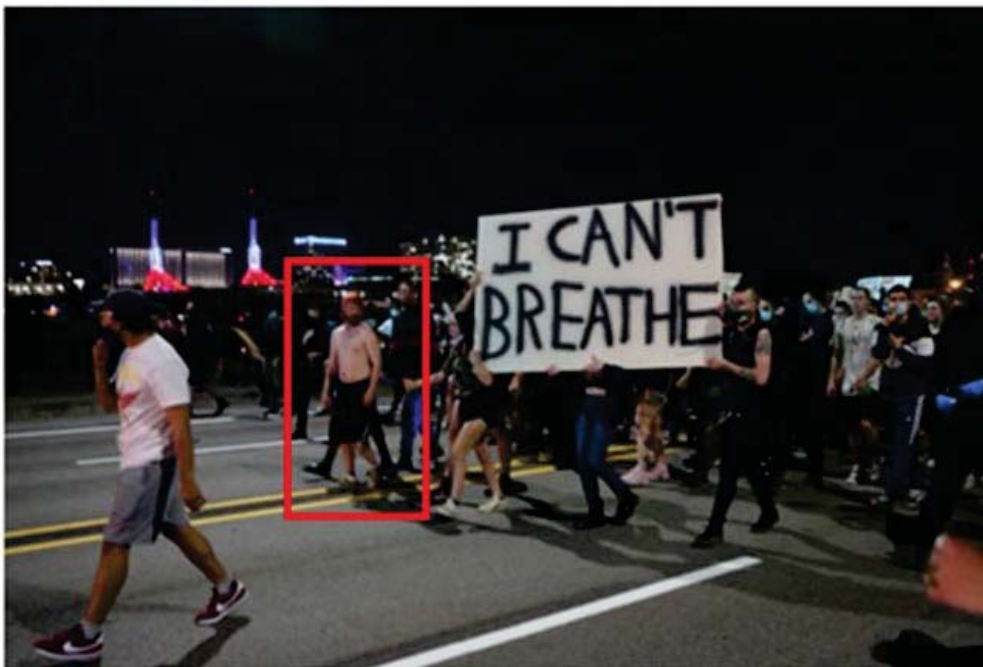
7. Multnomah County and the City of Portland receive Federal financial assistance. The MCDC jail houses inmates including some inmates who are in the custody of the Attorney General and the U.S. Marshals Service (hereinafter, “USMS”). According to the USMS, there were 22 federal inmates housed at MCDC on May 29, 2020 pursuant to a contract between the USMS and Multnomah County. All paperwork relative to these 22 federal inmates was stored in the Corrections Records Department, along with USMS holds, Federal writs, and other accompanying federal paperwork.

8. Based on documentation I have reviewed from the Justice Department’s Office of Justice Program (OJP), Multnomah County and the City of Portland are receiving approximately 16 Federal monetary awards and financial assistance from OJP. The OJP focuses on crime prevention through research and development, assistance to state, local, and tribal criminal justice agencies, including law enforcement, corrections, and juvenile justice through grants and assistance to crime victims. The City of Portland had active grants in the amount of approximately \$8.3 million and Multnomah County had active grants in the amount of approximately \$3.7 million. I have also reviewed documentation provided by the U.S. Treasury that the City of Portland received and distributed approximately \$114 million in CARES Act funding and that Multnomah County received approximately \$28 million, which is Federal

financial assistance.

9. On May 25, 2020, George Floyd died during his arrest by law enforcement officers in Minneapolis, Minnesota sparking nationwide protests that eventually extended to Portland, Oregon. The protests have, at times, included violence, civil disorder, arson, and looting. On May 28, 2020, a group of individuals broke into and set fire to the 3rd police precinct in Minneapolis. Following the fire, postings to websites associated with the anarchist movement included statements such as, “police stations CAN be overtaken” and “the spiritual and strategic victory in compromising and sacking the 3rd precinct is incalculable.”

10. On May 29, 2020, several hundred people gathered for a protest event near Peninsula Park at 700 N Rosa Parks Way, Portland, Oregon (hereinafter, “Peninsula Park”). A review of several publicly available videos and photos show the crowd walk from Peninsula Park to the Justice Center located at 1120 SW 3rd Avenue, Portland, Oregon that evening. According to the time the videos were posted online, it appears the crowd crossed the Burnside Bridge at about 10:35 p.m. The picture below shows the crowd in the area of the Burnside Bridge. As detailed later in this affidavit, I believe the person highlighted in red in the photo below is SCHINZING, who is later seen spreading fire within the Justice Center. Video and photos from multiple sources show SCHINZING at or near what appeared to be the front of the crowd as it crossed the Burnside Bridge.



11. According to video from a surveillance camera, along with video recordings captured by other individuals and posted online to publicly available websites, the crowd of

people from Peninsula Park arrived and gathered in front of the Justice Center around 10:55 p.m. At about 10:59 p.m., several people broke windows near the northwest corner of the Justice Center where the Corrections Records Office was located. They subsequently entered the secured office, where they had no authorization to be, via those broken windows.

12. Three civilian Multnomah County employees were working inside the Corrections Records Office at the time and fled for safety as the windows were broken. Based on a preliminary review of publicly-available videos from YouTube, Twitter, surveillance cameras, and still photos posted online, about 30 individuals entered the Justice Center through the broken windows. The individuals spray-painted portions of the office, damaged computer equipment and other office equipment and furniture, damaged interior windows, and started fires within the office. The fuel for these fires appears to be readily available ordinary combustibles within the Corrections Records Department, ignited by an introduced open flame. It is unclear whether accelerants were introduced to fuel the fire.

13. Among those who entered the Justice Center, SCHINZING was identified by a comparison with a jail booking photo and a distinctive tattoo of his last name across his upper back:





14. SCHINZING was also seen destroying property in the Corrections Records Office without a shirt on and wearing a distinct orange hat backwards.



15. SCHINZING left the office at one point but returned to it later wearing a dark shirt and the same distinct orange hat. At that point, SCHINZING spread a fire near the front of

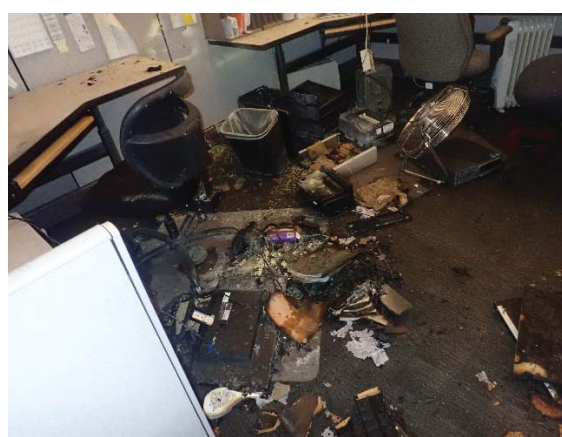
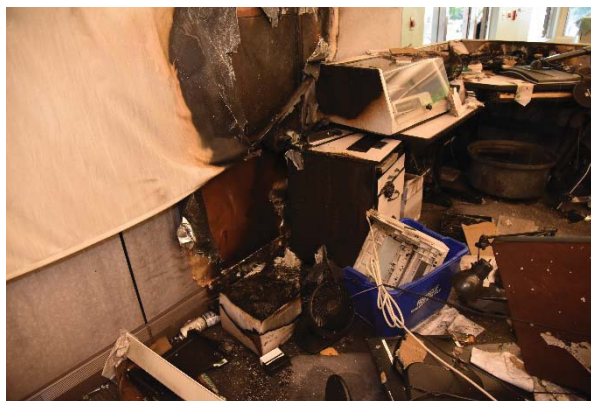
the office by lighting additional papers on fire and moving flaming papers into a drawer of a separate cubicle:





16. At about 11:08 p.m., the building's fire sprinkler system for the Corrections Records Office activated and extinguished the fires. At about the same time, law enforcement officers secured that portion of the Justice Center. Fire damage consisted of smoke and water

damage, along with charring to ordinary combustibles such as paperwork and window coverings, and charring to office furniture and other office items as depicted below.



17. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) William Narus, and AUSA Narus advised me that in his opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

Conclusion


18. Based on the foregoing, I have probable cause to believe, and I do believe, that SCHINZING maliciously damaged and destroyed, and attempted to damage and destroy, by means of fire a building and other personal property belonging to Multnomah County and the City of Portland, which are both institutions and organizations receiving Federal financial assistance, in violation of 18 U.S.C. § 844(f)(1). I therefore request that the Court issue a criminal complaint and arrest warrant for SCHINZING.

Request for Sealing

19. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested criminal complaint and arrest warrant. I believe that sealing these documents is necessary because the information contained therein is relevant to an ongoing investigation, and premature disclosure of the affidavit, the criminal complaint, and the arrest warrant may adversely affect the integrity of the investigation.

Sworn by Phone IAW Fed. R. Crim. P. 4.1
CYNTHIA M. CHANG
Special Agent/Certified Fire Investigator,
ATF

Sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone at
6:04 p.m. on July 27, 2020.



HONORABLE JOLIE A. RUSSO
United States Magistrate Judge